

**2003 DRAFTING REQUEST**

**Bill**

Received: 11/19/2003

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Michael Huebsch (608) 266-0631

By/Representing: Jodi Jensen (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - public health

Extra Copies: MDK

Submit via email: YES

Requester's email: Rep.Huebsch@legis.state.wi.us

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

State agency status for health care providers during state of emergency related to public health

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 01/07/2004	jdye 01/08/2004 jdye 01/12/2004					S&L
/1			pgreensl 01/12/2004		mbarman 01/13/2004	lnorthro 02/13/2004	S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	dkennedy 02/16/2004	jdyer 02/16/2004 jdyer 02/17/2004	rschluet 02/17/2004	_____	lemery 02/17/2004	lemery 02/17/2004 lemery 02/17/2004	

FE Sent For:

<END>

**2003 DRAFTING REQUEST**

**Bill**

Received: **11/19/2003**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Michael Huebsch (608) 266-0631**

By/Representing: **Jodi Jensen (aide)**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - public health**

Extra Copies: **MDK**

Submit via email: **YES**

Requester's email: **Rep.Huebsch@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

State agency status for health care providers during state of emergency related to public health

---

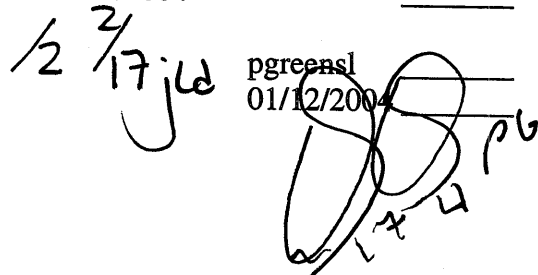
**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 01/07/2004	jdyer 01/08/2004 jdyer 01/12/2004					S&L
/1		1/2 2/17 jld	pgreensl 01/12/2004		mbarman 01/13/2004	lnorthro 02/13/2004	



Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

<END>

01/13/2004 07:46:11 AM

Page 1

**2003 DRAFTING REQUEST****Bill**Received: **11/19/2003**Received By: **dkennedy**Wanted: **As time permits**

Identical to LRB:

For: **Michael Huebsch (608) 266-0631**By/Representing: **Jodi Jensen (aide)**This file may be shown to any legislator: **NO**Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - public health**Extra Copies: **MDK**Submit via email: **YES**Requester's email: **Rep.Huebsch@legis.state.wi.us**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

State agency status for health care providers during state of emergency related to public health

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 01/07/2004	jdye 01/08/2004 jdye 01/12/2004				✓ rep. by Jodi in Huebsch off. cc	S&L
/1			pgreensl 01/12/2004		mbarman 01/13/2004		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

<END>

01/07/2004 02:17:05 PM

Page 1

**2003 DRAFTING REQUEST****Bill**Received: **11/19/2003**Received By: **dkennedy**Wanted: **As time permits**

Identical to LRB:

For: **Michael Huebsch (608) 266-0631**By/Representing: **Jodi Jensen (aide)**This file may be shown to any legislator: **NO**Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - public health**Extra Copies: **MDK**Submit via email: **YES**Requester's email: **Rep.Huebsch@legis.state.wi.us**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

State agency status for health care providers during state of emergency related to public health

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy	1 1/2 jd	1/12 PV	1/12 PV			S&L

FE Sent For:

&lt;END&gt;

**Kennedy, Debora**

---

**From:** Jensen, Jodi  
**Sent:** Wednesday, November 19, 2003 11:34 AM  
**To:** Kennedy, Debora  
**Subject:** Drafting Request

Hi Debora,

Rep. Heubsch would like a bill drafted that would provide liability protection to certain health care providers during a declared state of emergency related to public health.

It should apply to (1) licensed health care providers who are not currently using their license/practicing in that field/employed in that field and (2) health care providers who held a valid license in the last ten years who are providing volunteer health care services for a hospital.

Health care provider should include physician, nurse (all licensed nurses, RN, LPN, etc.), nursing assistant, physician assistant, pharmacist, respiratory care practitioner.

These qualified health care providers should receive the same liability protection as those under the Volunteer Health Care Provider Program.

Let me know if you have questions or need any clarification.

Thanks!

Jodi

1/6/04 From Jodi, in response to DAK question:

For category (2) (above), exclude persons whose licenses were terminated for cause.





SOON - In edit 1/7  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-3773/1

DAK:.....

jld

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

designation of state agency status for certain health care providers who provide services during a state of emergency related to public health.

Gen

1

AN ACT ...; relating to: ???

*Analysis by the Legislative Reference Bureau*

Under current law, if the governor declares a state of emergency related to public health and designates the Department of Health and Family Services (DHFS) as the lead state agency to respond to that emergency, DHFS must act as the public health authority during the emergency. As such, among other things, DHFS may compel vaccinations and must consult with local health departments and individual health providers.

Also under current law, persons are prohibited from practicing or attempting to practice professional nursing, engaging in the practice of nurse-midwifery, practicing medicine and surgery, practicing as a physician assistant, or engaging in the practice of pharmacy, unless licensed or certified, as appropriate. In addition, with certain exceptions, a person without the appropriate license or certificate may not hold himself or herself out as a trained, certified, or graduate nurse, a licensed practical nurse, a doctor of medicine, a doctor of osteopathy, a physician assistant, or a pharmacist. ~~Lastly~~, with certain exceptions, a person may not practice nurse-midwifery unless he or she has in effect malpractice liability insurance in the minimum amount specified by DHFS by rule.

✓ Lastly under current law, an individual who has been granted status as a state agent may be defended by the attorney general in a civil action or other matter before a court or administrative agency for acts the individual performs during the lawful course of his or her duties, amounts recoverable in the civil action or other matter are limited to \$250,000, and judgments in the actions or other matters must be paid by the state after payment under any liability insurance policy possessed by the individual.

This bill designates as a state agent of DHFS a health care provider who provides to a hospital voluntary, unpaid health care services for which the provider has been licensed or certified or has met certain requirements. "Health care provider" is defined in the bill to mean an individual who, at any time within ten years before a state of emergency related to public health is declared, has met requirements for a nurse's assistant, has been licensed as a physician, physician assistant, registered nurse, licensed practical nurse, nurse-midwife, or pharmacist, or has been certified as a respiratory care practitioner. The state agency status does not apply to a physician, physician assistant, registered nurse, licensed practical nurse, nurse-midwife, or pharmacist whose license has, for cause, been revoked, limited, suspended, or denied renewal, or to a respiratory care practitioner whose certificate has, for cause, been limited, suspended, or revoked. The bill also excepts the health care providers designated as state agents from the prohibitions on practicing or attempting to practice without a license or certificate and from the prohibitions on holding themselves out, without a license or certificate, as trained, certified, or licensed for performance of services.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 165.25 (6) (b) of the statutes is amended to read:

165.25 (6) (b) Volunteer health care providers who provide services under s. 146.89 or 250.042 (4) are, for the provision of those services, covered by this section and shall be considered agents of the department of health and family services for purposes of determining which agency head may request the attorney general to appear and defend them.

History: 1971 c. 125 s. 522 (1); 1971 c. 215; 1973 c. 333; 1975 c. 81, 199; 1977 c. 29 s. 1656 (27); 1977 c. 187, 260, 273, 344; 1981 c. 20, 62, 96; 1983 a. 27; 1983 a. 36 s. 96 (2), (3), (4); 1983 a. 192; 1985 a. 29, 66; 1987 a. 416; 1989 a. 31, 115, 187, 206, 359; 1991 a. 25, 39, 269; 1993 a. 27, 28, 365; 1995 a. 27 ss. 4453 to 4454m, 9126 (19); 1995 a. 201; 1997 a. 27, 111; 2001 a. 16.

SECTION 2. 250.042 (4) of the statutes is created to read:

250.042 (4) (a) In this subsection:

1. "Health care provider" means an individual who, at any time within 10 years before a state of emergency related to public health is declared under s. 166.03 (1) (b) 1., has met requirements for a nurse's assistant under s. 146.40 (2) (a), (b), (bm),

(c), (e), (em), (f), or (g) or has been licensed as a physician or a physician assistant under ch. 448, licensed as a registered nurse, licensed practical nurse, or nurse-midwife under ch. 441, licensed as a pharmacist under ch. 450, or certified as a respiratory care practitioner under ch. 448.

2. "Hospital" has the meaning given in s. 50.33 (2).

(b) A health care provider who provides to a hospital, on a voluntary, unpaid basis during a state of emergency related to public health, health care services for which the health care provider has been licensed or certified or, as a nurse's assistant, has met requirements, is, for the provision of these services, a state agent of the department for purposes of s. 165.25 (6), 893.82 (3), and 895.46.

(c) Paragraph (b) does not apply to any of the following:

1. A physician or physician assistant whose license has been limited, suspended, or revoked under s. 448.02 (3) (c).

2. A respiratory care practitioner whose certificate has been limited, suspended, or revoked under s. 448.02 (3) (c).

3. A registered nurse, licensed practical nurse, or nurse-midwife whose license has been revoked, limited, suspended, or denied renewal under s. 441.07 (1).

4. A pharmacist whose license has been revoked, limited, suspended, or denied renewal under s. 450.10 (1) (b).

**SECTION 3.** 441.06 (4) of the statutes is amended to read:

441.06 (4) ~~No~~ Except as provided in s. 250.042 (4) (b), no person may practice or attempt to practice professional nursing, nor use the title, letters, or anything else to indicate that he or she is a registered or professional nurse unless he or she is licensed under this section. ~~No~~ Except as provided in s. 250.042 (4) (b), no person not so licensed may use in connection with his or her nursing employment or vocation

1 any title or anything else to indicate that he or she is a trained, certified or graduate  
2 nurse. This subsection does not apply to any person who is licensed to practice  
3 nursing by a jurisdiction, other than this state, that has adopted the nurse licensure  
4 compact under s. 441.50.

History: 1971 c. 125, 215; 1973 c. 159; 1975 c. 39, 199; 1977 c. 29, 164; 1979 c. 34, 162; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107.

5 **SECTION 4.** 441.10 (3) (c) of the statutes is amended to read:

6 441.10 (3) (c) No license is required for practical nursing, but, except as  
7 provided in s. 250.042 (4) (b), no person without a license may hold himself or herself  
8 out as a licensed practical nurse or licensed attendant, use the title or letters  
9 "Trained Practical Nurse" or "T.P.N.", "Licensed Practical Nurse" or "L.P.N.",  
10 "Licensed Attendant" or "L.A.", "Trained Attendant" or "T.A.", or otherwise seek to  
11 indicate that he or she is a licensed practical nurse or licensed attendant. No licensed  
12 practical nurse or licensed attendant may use the title, or otherwise seek to act as  
13 a registered, licensed, graduate or professional nurse. Anyone violating this  
14 subsection shall be subject to the penalties prescribed by s. 441.13. The board shall  
15 grant without examination a license as a licensed practical nurse to any person who  
16 was on July 1, 1949, a licensed attendant. This paragraph does not apply to any  
17 person who is licensed to practice practical nursing by a jurisdiction, other than this  
18 state, that has adopted the nurse licensure compact under s. 441.50.

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 37; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107.

19 **SECTION 5.** 441.15 (2) (intro.) of the statutes is amended to read:

20 441.15 (2) (intro.) ~~No~~ Except as provided in s. 250.042 (4) (b), no person may  
21 engage in the practice of nurse-midwifery unless each of the following conditions is  
22 satisfied:

History: 1979 c. 317; 1983 a. 273; 1987 a. 264; 1991 a. 39; 1999 a. 22; 2001 a. 52, 105, 107.

23 **SECTION 6.** 441.15 (5) (a) 5. of the statutes is created to read:

1 441.15 (5) (a) 5. The provision of services by a nurse-midwife under s. 250.042  
2 (4) (b).

3 **SECTION 7.** 448.03 (2) (p) of the statutes is created to read:

4 448.03 (2) (p) The provision of services by a health care provider under s.  
5 250.042 (4) (b).

6 **SECTION 8.** 448.03 (3) (a) (intro.) of the statutes is amended to read:

7 448.03 (3) (a) (intro.) No Except as provided in s. 250.042 (4) (b), no person may  
8 use or assume the title "doctor of medicine" or append to the person's name the letters  
9 "M.D." unless one of the following applies:

History: 1975 c. 383, 421; 1977 c. 164; 1979 c. 317; 1985 a. 29; 1987 a. 40, 399; 1989 a. 31, 229; 1991 a. 23; 1993 a. 105, 107, 490; 1995 a. 27, 201; 1997 a. 67, 175, 311; 1999 a. 32, 180; 2001 a. 89.

10 **SECTION 9.** 448.03 (3) (b) of the statutes is amended to read:

11 448.03 (3) (b) No Except as provided in s. 250.042 (4) (b), no person not  
12 possessing the degree of doctor of osteopathy may use or assume the title "doctor of  
13 osteopathy" or append to the person's name the letters "D.O.".

History: 1975 c. 383, 421; 1977 c. 164; 1979 c. 317; 1985 a. 29; 1987 a. 40, 399; 1989 a. 31, 229; 1991 a. 23; 1993 a. 105, 107, 490; 1995 a. 27, 201; 1997 a. 67, 175, 311; 1999 a. 32, 180; 2001 a. 89.

14 **SECTION 10.** 448.03 (3) (e) of the statutes is amended to read:

15 448.03 (3) (e) No Except as provided in s. 250.042 (4) (b), no person may  
16 designate himself or herself as a "physician assistant" or use or assume the title  
17 "physician assistant" or append to the person's name the words or letters "physician  
18 assistant" or "P.A." or any other titles, letters or designation which represents or may  
19 tend to represent the person as a physician assistant unless he or she is licensed as  
20 a physician assistant by the board.

History: 1975 c. 383, 421; 1977 c. 164; 1979 c. 317; 1985 a. 29; 1987 a. 40, 399; 1989 a. 31, 229; 1991 a. 23; 1993 a. 105, 107, 490; 1995 a. 27, 201; 1997 a. 67, 175, 311; 1999 a. 32, 180; 2001 a. 89.

21 **SECTION 11.** 450.03 (1) (h) of the statutes is created to read:

22 450.03 (1) (h) The provision of services by a health care provider under s.  
23 250.042 (4) (b).

**SECTION 12.** 893.82 (2) (d) 1n. of the statutes is created to read:

893.82 (2) (d) 1n. A health care provider who provides services under s. 250.042

(4), for the provision of those services.

**SECTION 13.** 895.46 (5) (am) of the statutes is created to read:

895.46 (5) (am) A health care provider who provides services under s. 250.042

(4).

**(END)**

**Kennedy, Debora**

---

**From:** Jensen, Jodi  
**Sent:** Monday, February 16, 2004 1:58 PM  
**To:** Kennedy, Debora  
**Subject:** LRB 3773

Hi Debora,

Rep. Huebsch wants to make one change to this bill draft regarding health care provider liability during a public health emergency.

Under the draft, state agency status applies to health care providers providing health care services to a hospital. We would like to expand it from hospital to any health care facility under sec. 150.84(2).

I already head the bill jacketed, so I'm sending it back right now.

Thanks!

Jodi



WEDNESDAY  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-3773/2

DAK:jld:pg

## 2003 BILL

Regen

1 AN ACT *to amend* 165.25 (6) (b), 441.06 (4), 441.10 (3) (c), 441.15 (2) (intro.),  
2 448.03 (3) (a) (intro.), 448.03 (3) (b) and 448.03 (3) (e); and *to create* 250.042  
3 (4), 441.15 (5) (a) 5., 448.03 (2) (p), 450.03 (1) (h), 893.82 (2) (d) 1n. and 895.46  
4 (5) (am) of the statutes; **relating to:** designation of state agency status for  
5 certain health care providers who provide services during a state of emergency  
6 related to public health.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, if the governor declares a state of emergency related to public health and designates the Department of Health and Family Services (DHFS) as the lead state agency to respond to that emergency, DHFS must act as the public health authority during the emergency. As such, among other things, DHFS may compel vaccinations and must consult with local health departments and individual health providers.

Also under current law, persons are prohibited from practicing or attempting to practice professional nursing, engaging in the practice of nurse-midwifery, practicing medicine and surgery, practicing as a physician assistant, or engaging in the practice of pharmacy, unless licensed or certified, as appropriate. In addition, with certain exceptions, a person without the appropriate license or certificate may not hold himself or herself out as a trained, certified, or graduate nurse, a licensed practical nurse, a doctor of medicine, a doctor of osteopathy, a physician assistant,



**BILL**

or a pharmacist. With certain exceptions, a person may not practice nurse-midwifery unless he or she has in effect malpractice liability insurance in the minimum amount specified by DHFS by rule.

Lastly under current law, an individual who has been granted status as a state agent may be defended by the attorney general in a civil action or other matter before a court or administrative agency for acts the individual performs during the lawful course of his or her duties, amounts recoverable in the civil action or other matter are limited to \$250,000, and judgments in the actions or other matters must be paid by the state after payment under any liability insurance policy possessed by the individual.

*health care facility, as defined in the bill, ✓*  
This bill designates as a state agent of DHFS a health care provider who provides to a ~~hospital~~ voluntary, unpaid health care services for which the provider has been licensed or certified or has met certain requirements. "Health care provider" is defined in the bill to mean an individual who, at any time within ten years before a state of emergency related to public health is declared, has met requirements for a nurse's assistant, has been licensed as a physician, physician assistant, registered nurse, licensed practical nurse, nurse-midwife, or pharmacist, or has been certified as a respiratory care practitioner. The state agency status does not apply to a physician, physician assistant, registered nurse, licensed practical nurse, nurse-midwife, or pharmacist whose license has, for cause, been revoked, limited, suspended, or denied renewal, or to a respiratory care practitioner whose certificate has, for cause, been limited, suspended, or revoked. The bill also excepts the health care providers designated as state agents from the prohibitions on practicing or attempting to practice without a license or certificate and from the prohibitions on holding themselves out, without a license or certificate, as trained, certified, or licensed for performance of services.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

✓  
1        **SECTION 1.** 165.25 (6) (b) of the statutes is amended to read:

2        165.25 (6) (b) Volunteer health care providers who provide services under s.  
3        146.89 or 250.042 (4) are, for the provision of those services, covered by this section  
4        and shall be considered agents of the department of health and family services for  
5        purposes of determining which agency head may request the attorney general to  
6        appear and defend them.

7        ✓  
      **SECTION 2.** 250.042 (4) of the statutes is created to read:

## BILL

1 → 250.042 (4) (a) In this subsection:  
1. "Health care facility" has the meaning given in s. 150.84(2).

2 2. "Health care provider" means an individual who, at any time within 10 years  
3 before a state of emergency related to public health is declared under s. 166.03 (1)

4 (b) 1., has met requirements for a nurse's assistant under s. 146.40 (2) (a), (b), (bm),  
5 (c), (e), (em), (f), or (g) or has been licensed as a physician or a physician assistant  
6 under ch. 448, licensed as a registered nurse, licensed practical nurse, or  
7 nurse-midwife under ch. 441, licensed as a pharmacist under ch. 450, or certified as  
8 a respiratory care practitioner under ch. 448.

9 ~~2. "Hospital" has the meaning given in s. 50.83(2).~~

✓ health care facility

10 (b) A health care provider who provides to a ~~hospital~~, on a voluntary, unpaid  
11 basis during a state of emergency related to public health, health care services for  
12 which the health care provider has been licensed or certified or, as a nurse's assistant,  
13 has met requirements, is, for the provision of these services, a state agent of the  
14 department for purposes of ss. 165.25 (6), 893.82 (3), and 895.46.

15 (c) Paragraph (b) does not apply to any of the following:

16 1. A physician or physician assistant whose license has been limited,  
17 suspended, or revoked under s. 448.02 (3) (c).

18 2. A respiratory care practitioner whose certificate has been limited,  
19 suspended, or revoked under s. 448.02 (3) (c).

20 3. A registered nurse, licensed practical nurse, or nurse-midwife whose license  
21 has been revoked, limited, suspended, or denied renewal under s. 441.07 (1).

22 4. A pharmacist whose license has been revoked, limited, suspended, or denied  
23 renewal under s. 450.10 (1) (b).

24 SECTION 3. 441.06 (4) of the statutes is amended to read:

**BILL**

1           441.06 (4) No Except as provided in s. 250.042 (4) (b), no person may practice  
2           or attempt to practice professional nursing, nor use the title, letters, or anything else  
3           to indicate that he or she is a registered or professional nurse unless he or she is  
4           licensed under this section. No Except as provided in s. 250.042 (4) (b), no person not  
5           so licensed may use in connection with his or her nursing employment or vocation  
6           any title or anything else to indicate that he or she is a trained, certified or graduate  
7           nurse. This subsection does not apply to any person who is licensed to practice  
8           nursing by a jurisdiction, other than this state, that has adopted the nurse licensure  
9           compact under s. 441.50.

10          **SECTION 4.** 441.10 (3) (c) of the statutes is amended to read:

11          441.10 (3) (c) No license is required for practical nursing, but, except as  
12          provided in s. 250.042 (4) (b), no person without a license may hold himself or herself  
13          out as a licensed practical nurse or licensed attendant, use the title or letters  
14          “Trained Practical Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”,  
15          “Licensed Attendant” or “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to  
16          indicate that he or she is a licensed practical nurse or licensed attendant. No licensed  
17          practical nurse or licensed attendant may use the title, or otherwise seek to act as  
18          a registered, licensed, graduate or professional nurse. Anyone violating this  
19          subsection shall be subject to the penalties prescribed by s. 441.13. The board shall  
20          grant without examination a license as a licensed practical nurse to any person who  
21          was on July 1, 1949, a licensed attendant. This paragraph does not apply to any  
22          person who is licensed to practice practical nursing by a jurisdiction, other than this  
23          state, that has adopted the nurse licensure compact under s. 441.50.

24          **SECTION 5.** 441.15 (2) (intro.) of the statutes is amended to read:

**BILL**

1           441.15 (2) (intro.) ~~No~~ Except as provided in s. 250.042 (4) (b), no person may  
2       engage in the practice of nurse-midwifery unless each of the following conditions is  
3       satisfied:

4           **SECTION 6.** 441.15 (5) (a) 5. of the statutes is created to read:

5           441.15 (5) (a) 5. The provision of services by a nurse-midwife under s. 250.042  
6       (4) (b).

7           **SECTION 7.** 448.03 (2) (p) of the statutes is created to read:

8           448.03 (2) (p) The provision of services by a health care provider under s.  
9       250.042 (4) (b).

10          **SECTION 8.** 448.03 (3) (a) (intro.) of the statutes is amended to read:

11          448.03 (3) (a) (intro.) ~~No~~ Except as provided in s. 250.042 (4) (b), no person may  
12       use or assume the title “doctor of medicine” or append to the person’s name the letters  
13       “M.D.” unless one of the following applies:

14          **SECTION 9.** 448.03 (3) (b) of the statutes is amended to read:

15          448.03 (3) (b) ~~No~~ Except as provided in s. 250.042 (4) (b), no person not  
16       possessing the degree of doctor of osteopathy may use or assume the title “doctor of  
17       osteopathy” or append to the person’s name the letters “D.O.”.

18          **SECTION 10.** 448.03 (3) (e) of the statutes is amended to read:

19          448.03 (3) (e) ~~No~~ Except as provided in s. 250.042 (4) (b), no person may  
20       designate himself or herself as a “physician assistant” or use or assume the title  
21       “physician assistant” or append to the person’s name the words or letters “physician  
22       assistant” or “P.A.” or any other titles, letters or designation which represents or may  
23       tend to represent the person as a physician assistant unless he or she is licensed as  
24       a physician assistant by the board.

25          **SECTION 11.** 450.03 (1) (h) of the statutes is created to read:

# BILL

450.03 (1) (h) The provision of services by a health care provider under s.  
250.042 (4) (b).

**SECTION 12.** 893.82 (2) (d) 1n. of the statutes is created to read:

893.82 (2) (d) 1n. A health care provider who provides services under s. 250.042 (4), for the provision of those services.

**SECTION 13.** 895.46 (5) (am) of the statutes is created to read:

895.46 (5) (am) A health care provider who provides services under s. 250.042 (4).

**(END)**